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Congress of the United States

House of Representatives

March 27, 2014

Committee On Appropriations
Chairman, Subcommittee on Labor, Health
and Human Services, Education,
and Related Agencies
Defense Subcommittee
State, Foreign Operations,
and Related Agencies Subcommittee

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The Honorable David Shafer
President Pro Tempore
Georgia State Senate
321 State Capitol
Atlanta, GA 30334

The Honorable David Ralston
Speaker of the House
Georgia House of Representatives
332 State Capitol
Atlanta, GA 30334

Dear Speaker Ralston and President Shafer,

I am writing in follow up to recent steps taken by the Georgia Assembly to require drug testing of welfare beneficiaries. As you continue to address this important issue in Georgia, I wanted to bring to your attention an initiative I am pursuing at the federal level.

I have reintroduced HR 3454, the "Ensuring Quality in the Unemployment Insurance Program (EQUIP) Act." This bill would require all individuals applying for unemployment compensation to complete a drug screening assessment form approved by the National Institutes of Health. After completing the assessment, individuals identified as having a high probability for drug use must complete and pass a drug test in order to receive benefits. These individuals are also subject to random drug testing.

Drug screening assessment forms have a 94 percent accuracy rating and are less expensive than requiring all applicants be drug tested. The use of drug assessment forms has been upheld by federal and state courts. A federal court in West Virginia upheld the use of drug screening for Social Security Disability Insurance benefits. In addition, state courts in New Jersey and Texas upheld the use of drug screening assessments in child custody cases.

As you know, supporting a work-ready population is of growing importance. While I am working with my colleagues in Washington to institute mandatory drug assessment more broadly at the federal level, Congress has authorized states to proceed with drug testing programs. The Middle Class Tax Relief and Job Creation Act of 2012 adopted my legislation on a limited basis by allowing up to ten states to implement a drug testing program for unemployment insurance. The Administration has slowed the implementation of this provision; however, I am hopeful to see guidelines released by the Department of Labor in May. I encourage the state to pursue participation in this demonstration when it is implemented.

I support Georgia's efforts to ensure beneficiaries are ready to enter the work force and will continue to work to advance legislation at the federal level that supports that goal. Please let me know what I can do to further support Georgia's efforts.

Sincerely,



Jack Kingston
Member of Congress

CC: The Honorable Nathan Deal, Governor of Georgia